

SUN LAKES HOMEOWNERS ASSOCIATION, NO. 2

Retention of Authority to Regulate Public Roadways

Public Roadway Regulation: A membership vote on whether the Sun Lakes Homeowners Association No. 2 (“Association”) should retain its authority under the Sun Lakes Declaration of Restrictions for applicable units of Sun Lakes (“CC&Rs”) to regulate public roadways within the Association (i.e. enforcement of restrictions governing parking of certain types of vehicles on public roadways).

Cottonwood PaloVerde’s CC&Rs restrict parking of various recreational vehicles, including camping trailers, boat trailers, travel trailers, boats, motor homes and pick-up camper units (collectively “Recreational Vehicles”) on public roadways within the Association. They also state that recreational vehicles can’t be kept, placed, maintained, constructed or repaired on the common areas or streets. Our Rules allow these RV’s to only be parked or loaded for a maximum of 48 hours.

From time to time, the Legislature pass laws which impact HOA’s in Arizona. Management and the Board of Directors work annually with our attorney to understand these laws and the impact on HOA#2 specifically. A recent state law changed that stipulates an HOA whose Declaration (CC&R’s) was recorded before January 1, 2015, has until June 30, 2025 to call a meeting to continue to regulate public roadways or it will revert to government control.

In order to maintain the ability to regulate these parking restrictions, our community will be required to vote on this issue

A **“Yes”** vote signifies that you wish for the Association to retain its authority under the CC&Rs to regulate public roadways within the Association (i.e. to enforce restrictions governing parking of Recreational Vehicles on the roadways). A **“No”** vote signifies that you do *not* wish for the Association to retain its authority under the CC&Rs to regulate public roadways within the Association.

Pursuant to A.R.S. § 33-1818(B), if the vote fails, the Association will no longer have the authority to regulate the public roadways within the Association, and the existing regulations contained in the CC&Rs will expire.

Should any homeowner in HOA#2 want to learn more about the State Law on parking regulations in HOA’s, please visit this link for further information.

<https://trackbill.com/bill/arizona-house-bill-2298-planned-community-authority-public-roadways/2310716/>